



# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
Telephone: (626) 458-5100  
<http://dpw.lacounty.gov>

**GAIL FARBER, Director**

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

July 06, 2010

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Supervisors:

## ADOPTED

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

#32 JULY 6, 2010

*Sachi A. Hamai*  
SACHI A. HAMAI  
EXECUTIVE OFFICER

**GRANT OF EASEMENT  
FROM THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT  
TO SUNESYS, LLC  
PROJECT 9-LOS CERRITOS DRAIN – PARCEL 85GE  
IN THE CITY OF LAKEWOOD  
(SUPERVISORIAL DISTRICT 4)  
(3 VOTES)**

### **SUBJECT**

This action will allow the Los Angeles County Flood Control District to grant an easement for aerial cable purposes over a portion of Project 9-Los Cerritos Drain to Sunesys, LLC.

### **IT IS RECOMMENDED THAT YOUR BOARD ACTING AS THE GOVERNING BODY OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:**

1. Find that this project is categorically exempt from the provisions of the California Environmental Quality Act.
2. Find that the proposed grant of an easement for aerial cable purposes and the subsequent use of said easement will not interfere with the use of a portion of Project 9-Los Cerritos Drain, in the City of Lakewood, for any purposes of the Los Angeles County Flood Control District.
3. Approve the grant of an easement for aerial cable purposes from the Los Angeles County Flood Control District to Sunesys, LLC, for \$2,500.

4. Instruct the Chair of the Board of Supervisors to sign the enclosed Easement document and authorize delivery to Sunesys, LLC.

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of the recommended actions is to allow the Los Angeles County Flood Control District (LACFCD) to grant an easement for aerial cable purposes over a portion of Project 9-Los Cerritos Drain (Los Cerritos Drain) to Sunesys, LLC (Sunesys). Sunesys requested the easement to provide connectivity to the Bellflower Unified School District.

### **Implementation of Strategic Plan Goals**

The County Strategic Plan directs the provision of Community and Municipal Services (Goal 3). This transaction allows for the continuation of utility services to the area thereby improving the quality of life for the residents of the County of Los Angeles.

### **FISCAL IMPACT/FINANCING**

There will be no impact to the County General Fund.

The cost of the easement in the amount of \$2,500 represents the LACFCD minimum sale price. This amount has been paid and deposited into the Flood Control District Fund.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

Parcel 85GE is located over Los Cerritos Drain, west of Fiddler Avenue, between Michelson and Candlewood Streets, in the City of Lakewood.

The proposed grant of an easement is authorized by Section 2, Paragraph 13, of the Los Angeles County Flood Control Act. This Section provides as follows: "Said Los Angeles County Flood Control District hereby declared to be a body corporate and politic, and as such shall have the power...13. To lease, sell or dispose of any property (or any interest therein) whenever in the judgment of said board of supervisors said property, or any interest therein or any part thereof, is no longer required for the purpose of said district..."

The granting of this easement is not considered adverse to the LACFCD's purposes and will not hinder the use of Los Cerritos Drain for possible transportation, utility, or recreational corridors. Moreover, the Easement document will reserve paramount rights for LACFCD purposes.

The enclosed Easement document has been approved by County Counsel as to form and will be recorded.

### **ENVIRONMENTAL DOCUMENTATION**

This project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15303(d) and Section 15305(b) of the CEQA guidelines and Class 3(a) and Class 5(a) of the Environmental Reporting Procedures and Guidelines adopted by your Board on November 17, 1987. These exemptions provide for new utility extensions and for granting

easements for utilities to accomplish activities that are categorically exempt.

**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

This action allows for the joint use of LACFCD's right of way without interfering with the primary mission of the LACFCD.

**CONCLUSION**

Please return one adopted copy of this letter and the executed original Easement document to the Department of Public Works, Survey/Mapping and Property Management Division. Retain the duplicate for your files.

Respectfully submitted,

A handwritten signature in black ink that reads "Gail Farber". The signature is written in a cursive, flowing style.

GAIL FARBER  
Director

GF:SGS:psr

Enclosures

c: Auditor Controller (Accounting Division - Asset  
Management)  
Chief Executive Office  
County Counsel  
Executive Office

# DUPLICATE

RECORDING REQUESTED BY  
AND MAIL TO:

SUNESYS, LLC  
185 Titus Avenue  
Warrington, PA 18976

Space Above This Line Reserved for Recorder's Use

DOCUMENTARY TRANSFER TAX IS \$ \_\_\_\_\_  
( ) COMPUTED ON FULL VALUE OF PROPERTY CONVEYED, OR  
( ) COMPUTED ON FULL VALUE LESS VALUE OF LIENS AND  
ENCUMBRANCES REMAINING AT TIME OF SALE  
LOS ANGELES COUNTY FLOOD CONTROL DISTRICT

Assessor's Identification Number:  
7170-006-903 (Portion)

BY \_\_\_\_\_

## EASEMENT

For a valuable consideration, receipt of which is hereby acknowledged, the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, a body corporate and politic (hereinafter referred to as DISTRICT), does hereby grant to SUNESYS, LLC, a Delaware limited liability company (hereinafter referred to as GRANTEE), an easement for aerial cable purposes, in, on, over, and across all that real property in the City of Lakewood, County of Los Angeles, State of California, described in Exhibit A attached hereto and by this reference made a part hereof.

Subject to all matters of record and to the following reservation and conditions, which GRANTEE, by the acceptance of this Easement and/or the exercise of any of the rights granted herein, agrees to keep and perform, viz:

1. DISTRICT reserves the paramount right to use said land for flood control purposes.
2. GRANTEE agrees that it will not perform or arrange for the performance of any construction or reconstruction work in, on, over, and across the land herein described until the plans and specifications for such construction or reconstruction work shall have first been submitted to and been approved in writing by the Chief Engineer of the Los Angeles County Flood Control District, which approval shall not be unreasonably withheld. Such approval by DISTRICT shall not be interpreted or inferred as an endorsement or approval as to the design, accuracy, correctness, or authenticity of the information shown on the submitted plans and specifications. Furthermore, such approval cannot be relied upon for any other purpose or by any third party for any reason whatsoever. DISTRICT does not accept ownership or responsibility for the improvements.

Project 9 Los Cerritos Drain  
(File: 181-9)  
Parcel 85GE  
181-9 RW 15  
S.D. 4  
Project ID: MPR0000051

M1023005

3. GRANTEE shall indemnify, defend, and save harmless DISTRICT, its officers, agents, and/or employees, from any and all claims, demands, liability, loss, damage, or expense to which DISTRICT, its officers, agents, and employees, may be subjected as the result of any act or omission by GRANTEE, its officers, agents, or employees, arising out of the exercise by GRANTEE, its officers, agents, employees, or contractors, of any of the rights granted to it by this Easement document.
4. It is expressly understood that DISTRICT will not be called upon to construct, repair, maintain, or reconstruct any structure or improvements to be erected or constructed pursuant to this Easement document.
5. The provisions and conditions contained in this Easement document shall be binding upon GRANTEE, its successors, and assigns.

To the extent any lawful assessment be levied pertaining to the area to which this easement applies and to the extent that the assessment is based on the structures and improvements being constructed under the authority of this easement and provided further that the assessment be levied following GRANTEE's exercise of these easement rights to construct such structures and improvements, GRANTEE agrees to pay on behalf of DISTRICT that part of any such assessment levied against DISTRICT which is based on the value contributed to that area by GRANTEE's said improvements.

Dated July 6, 2010



(LACFCD-SEAL)

LOS ANGELES COUNTY FLOOD CONTROL DISTRICT,  
a body corporate and politic

By Gloria Molina  
Chair, Board of Supervisors of the Los Angeles  
County Flood Control District

ATTEST:

SACHI A. HAMAI, Executive Officer of the  
Board of Supervisors of the County of  
Los Angeles

By [Signature]  
Deputy

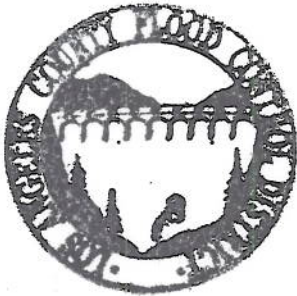


STATE OF CALIFORNIA                    )  
  ) ss.  
COUNTY OF LOS ANGELES            )

On January 6, 1987, the Board of Supervisors for the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies, and authorities for which said Board so acts adopted a resolution pursuant to Section 25103 of the Government Code that authorized the use of facsimile signatures of the Chair of the Board on all papers, documents, or instruments requiring the Chair's signature.

The undersigned hereby certifies that on this 6 day of July, 2010, the facsimile signature of GLORIA MOLINA, Chair of the Board of Supervisors of the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, was affixed hereto as the official execution of this document. The undersigned further certifies that on this date a copy of the document was delivered to the Chair of the Board of Supervisors of the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT.

In witness whereof, I have also hereunto set my hand and affixed my official seal the day and year above written.



(LACFCD-SEAL)

SACHI A. HAMAI, Executive Officer  
of the Board of Supervisors  
of the County of Los Angeles

By [Signature]  
Deputy

APPROVED AS TO FORM

ANDREA SHERIDAN ORDIN  
County Counsel

By Carole Suzuki  
Deputy

APPROVED as to title and execution, _____, 20____.
DEPARTMENT OF PUBLIC WORKS Survey/Mapping & Property Management Division
Supervising Title Examiner
By _____

## EXHIBIT A

File with: 181-9

**LOS CERRITOS DRAIN 85**

181-9-RW 15

A.I.N. 7170-006-903 (portion)

T.G. 766 (B2)

I.M. 054-237

S.D. 4

M1023005

### LEGAL DESCRIPTION

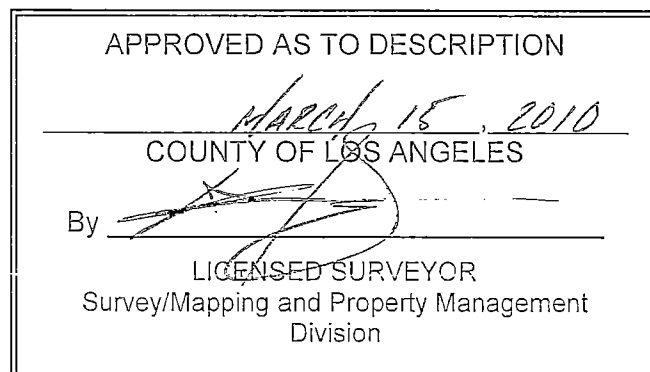
**PARCEL NO. 85GE** (Grant of easement for aerial cable purposes):

That portion of Lot 535, Tract No. 14594, as shown on map recorded in Book 362, pages 12 to 15, inclusive, of Maps, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, within a strip of land 6 feet wide, lying 3 feet on each side of the following described centerline;

Commencing at a point on the easterly line of said Lot 535, said point also being the northwesterly corner of Lot 8, Tract No. 22258, as shown on map recorded in Book 599, pages 39 and 40, of said Maps; thence South 0°29'24" East, along said easterly line, a distance of 2.11 feet to the TRUE POINT OF BEGINNING; thence South 86°19'05" West 65.10 feet to a point in the westerly line of said Lot 535, said last-mentioned point being distant North 0°29'24" West 0.45 feet, measured along said westerly line, from the northeasterly corner of that certain parcel of land described in deed to Vai Ole Ola, recorded on May 12, 2006, as Document No. 06-1054095, of Official Records, in the office of said Registrar-Recorder/County Clerk.

The sidelines of the above-described 6-foot wide strip of land are to be prolonged or shortened at their beginnings so as to terminate in said easterly line and are to be prolonged or shortened at their ends so as to terminate in said westerly line.

Containing: 391 ± square feet



NE COR OF PROPERTY DESCRIBED IN  
DEED RECORDED MAY 12, 2006 AS  
INSTRUMENT #061054095, OFFICIAL  
RECORDS OF LOS ANGELES COUNTY.

N 89°36'00" E

MB 362-12 TO 15  
LACFCD (FEE)

LOT 535

N 0°29'24" W 0.45'

LOS

CERRITOS

DRAIN

N 0°29'24" W

PROPOSED EASEMENT  
TO SUNESYS  
FOR AERIAL CABLE PURPOSES  
AREA = 391± S.F.

(85)

L.A. COUNTY FLOOD  
CONTROL DISTRICT

S 0°29'24" E 2.11'

P.O.B.

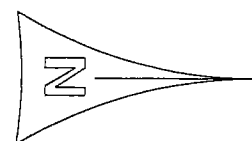
NW COR OF LOT 8,  
TRACT 22258

N 89°30'36" E

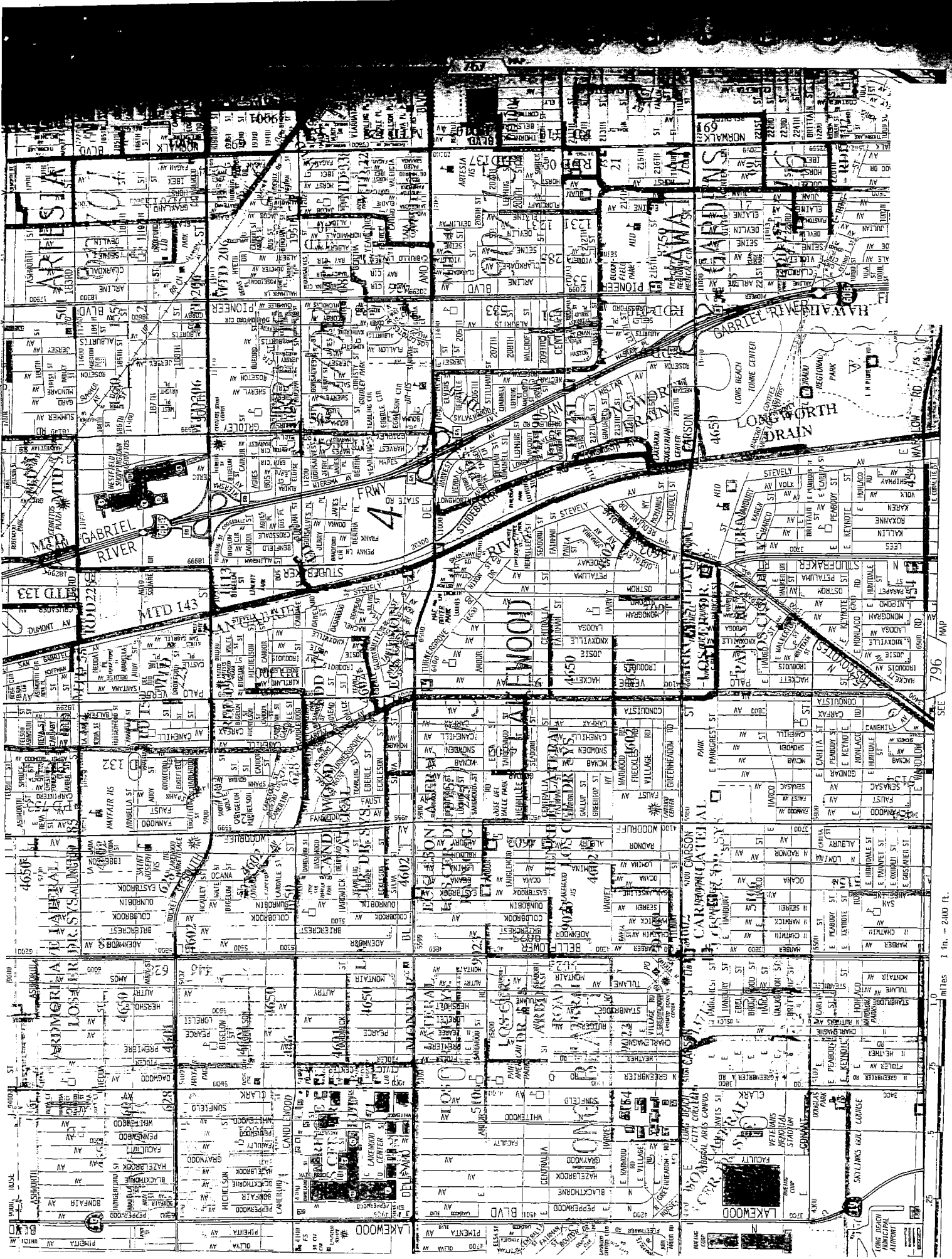
TRACT 22258  
9 599/39-40

LOS CERRITOS DRAIN  
REF.: 181-9-RW15

NOT TO SCALE







796

SEE

1 in. = 2,000 ft.

10

5

25